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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,050	03/05/2002	Travis J. Parry	10008068-1	1359

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

HUNTSINGER, PETER K

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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10/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/092,050	PARRY, TRAVIS J.	
	Examiner	Art Unit	
	Peter K. Huntsinger	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments, see appeal brief, filed 7/16/07, with respect to the rejection(s) of claim(s) 1 and 16 under 35 U.S.C. § 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Parry '564.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Parry '564.

Referring to claim 1, Parry '564 discloses a method for improving the use of printing devices in a network computer system, comprising:

determining the usage characteristics of at least one printing device (box 62 of Fig. 3, col. 5-6, lines 61-67, 1-16);

determining all options available for each of said at least one printing devices (box 68 of Fig. 3, col. 7, lines 11-27), said options including paper handling (col. 7-8, lines 64-67, 1-15, collating and binding function), consumable (col. 8, lines 39-62, toner

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usage), servicing (col. 8-9, lines 63-67, 1-4, support and maintenance services), print processing (col. 8-9, lines 63-67, 1-4, firmware upgrades), configuration (col. 8-9, lines 63-67, 1-4, firmware upgrades), software (col. 8-9, lines 63-67, 1-4, firmware upgrades), and hardware options (col. 1, lines 9-13, hardware upgrades) for said at least one printing device;

determining all installed options currently existing on said at least one printing device, said installed options including paper handling, consumable, servicing, print processing, configuration, software, and hardware options for said at least one printing device (col. 8, lines 20-24, packages currently in use kept track of); and

determining a optimal set of options for said at least one printing device from said usage characteristics, said available options and said installed options (box 72 of Fig. 3, col. 7, lines 41-58).

Referring to claim 2, Parry '564 discloses suggesting at least one change to said at least one printing device for optimizing the use of said at least one printing device with said network computer system (col. 9, lines 5-20, once a package is selected, it is suggested to a user).

Referring to claim 3, Parry '564 discloses wherein said suggesting at least one change to said at least one printing device for optimizing the use of said at least one printing device with said network system comprises suggesting an option selected from the group consisting of using a toner miser function, turning on a job retention memory, and suggesting other printing device configurations (col. 8, lines 39-62, installation of miser function).

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Referring to claim 4, Parry '564 discloses wherein said determining the usage characteristics of at least one printing device comprises determining the usage characteristics of all printing devices operating on said network computer system (Fig. 2, col. 4, lines 39-44).

Referring to claim 5, Parry '564 discloses wherein said determining the usage characteristics of at least one printing device comprises monitoring said at least one printing device to determine said usage characteristics (col. 2, lines 61-65, monitors usage of printer).

Referring to claim 6, Parry '564 discloses wherein said determining the usage characteristics of at least one printing device comprises retrieving said usage characteristics from a database (col. 12, lines 14-16, usage record).

Referring to claim 7, Parry '564 discloses wherein said determining the usage characteristics of at least one printing device comprises determining at least one usage characteristic selected from the group consisting of paper use rate, toner use rate, power use rate, time of print job request, consumable use per job rate, and print job request rate (col. 5-6, lines 66-67, 1-6).

Referring to claim 8, Parry '564 discloses wherein said determining the options available for each of said at least one printing devices comprises retrieving available options from a database (col. 12, lines 17-19, selection database).

Referring to claim 9, Parry '564 discloses wherein said determining the all options available for each of said at least one printing devices comprises querying said at least

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one printing device to retrieve said available options (col. 9, lines 21-26, packages retained in the printer).

Referring to claim 10, Parry '564 discloses wherein said determining all options available for said at least one printing device comprises querying a web-site for said available options (col. 7, lines 15-27, downloading information on available packages).

Referring to claim 11, Parry '564 discloses wherein said determining all installed options currently existing on said at least one printing device comprises retrieving installed options from a database (col. 8, lines 20-24, packages currently in use)

Referring to claim 12, Parry '564 discloses wherein said determining all installed options currently existing on said at least one printing device comprises querying said at least one printing device to retrieve said installed options (col. 6, lines 10-16, packages currently in use may constitute a UCD) (col. 7, lines 1-7, UCD data stored on memory 22 of printer 10).

Referring to claim 13, Parry '564 discloses wherein said determining a set of optimal options for said at least one printing device based on said usage characteristics, said available options and said installed options comprises using fuzzy logic to determine said set of optimal options for said at least one printing device (box 70 of Fig. 3, lines 28-39, fuzzified UCD data is analyzed).

Referring to claim 14, Parry '564 discloses suggesting at least one service to incorporate with said at least one printing device for providing enhanced usage of said at least one printing device (col. 8-9, lines 63-67, 1-6, package may be support and maintenance service, package is suggested to user)

Referring to claim 15, Parry '564 discloses wherein said suggesting at least one service to incorporate with said at least one printing device comprises suggesting at least one service selected from the group consisting of a maintenance service, a charge per page service, and a printing device monitoring service (col. 8-9, lines 1-4, package may be maintenance service)

Referring to claim 16, Parry '564 discloses a method for suggesting printing device options in a network computer system, comprising:

operating a device management program (col. 8, lines 16-24, information on packages kept track of through software) on a computer connected to a network communication (web server 12 of Fig. 1, col. 3, lines 66-67, 1-17);

determining the usage characteristics of at least one printing device with said device management program (box 62 of Fig. 3, col. 5-6, lines 61-67, 1-16);

operating a computer program on said computer;

using said computer program to determine all options available for each of said at least one printing devices (box 68 of Fig. 3, col. 7, lines 11-27), said options including paper handling (col. 7-8, lines 64-67, 1-15, collating and binding function), consumable (col. 8, lines 39-62, toner usage), servicing (col. 8-9, lines 63-67, 1-4, support and maintenance services), print processing (col. 8-9, lines 63-67, 1-4, firmware upgrades), configuration (col. 8-9, lines 63-67, 1-4, firmware upgrades), software (col. 8-9, lines 63-67, 1-4, firmware upgrades), and hardware options (col. 1, lines 9-13, hardware upgrades) for said at least one printing device;

using said computer program to determine all installed options currently existing on said at least one printing device, said installed options including paper handling, consumable, servicing, print processing, configuration, software, and hardware options for said at least one printing device (col. 8, lines 20-24, packages currently in use kept track of); and

using said computer program to determine a optimal set of options for said at least one printing device from said usage characteristics, said available options and said installed options (box 72 of Fig. 3, col. 7, lines 41-58).

Referring to claim 17, see the rejection of claim 10 above.

Referring to claim 18, Parry '564 discloses wherein said computer program is configured to communicate with said device management program (col. 5, lines 61-67, 1-6, printer follows set of instructions in extracting usage characteristic data).

Referring to claim 19, Parry '564 discloses wherein said computer program is a component of said device management program (col. 5, lines 61-67, 1-6, printer follows set of instructions in extracting usage characteristic data).

Referring to claim 20, Parry '564 discloses wherein using said computer program to determine an optimal set of options for said at least one printing device comprises using said computer program to compare said installed options with said available options (box. 72 of Fig. 3, col. 7, lines 41-58, score is compared to scores corresponding to each package).

Conclusion

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4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

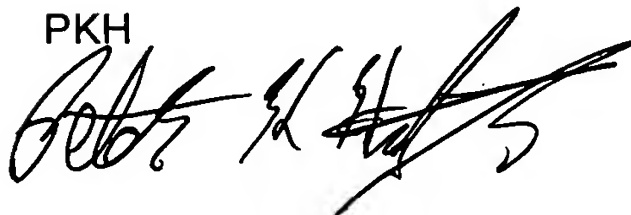
Parry ' 519

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

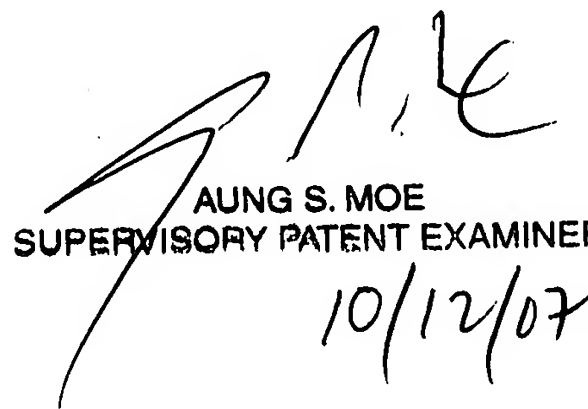
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Moe Aung can be reached on (571)272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PKH



AUNG S. MOE
SUPERVISORY PATENT EXAMINER



10/12/07